

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated May 19, 2008 has been received and its contents carefully reviewed.

Claims 1, 6, 7, 10, 16 and 19 are hereby amended. Claim 18 is hereby canceled. No claims are added. Accordingly, claims 1-17, 19 and 20 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

**Claims 1-4, 9 and 16-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over European Patent No. 1,151,717 to Evertzberg (hereinafter "*Evertzberg*") in view of U.S. Patent No. 5,874,901 to Ohyama (hereinafter "*Ohyama*").** *Office Action* at p. 2, ¶ 2. Applicant respectfully traverses this rejection and requests reconsideration.

Independent claim 1 is allowable over the cited references in that claim 1 recites a combination of elements including, for example, "a drive unit provided inside the hole for moving the refraction unit in an up/down direction." Similarly independent claim 16 is allowable over the cited references in that claim 16 recites a combination of elements including, for example, "the light transmission unit is movable in a vertical direction by a drive unit provided inside the hole." As admitted by the Office, *Evertzberg* "does not teach a hole in the top table for the light refraction unit to display the light through." *Office Action* at p. 2, ¶ 3. Because *Evertzberg* does not teach or suggest a hole in the top table, *Evertzberg* cannot teach or suggest "a drive unit provided inside the hole," as recited in independent claims 1 and 16. Thus, *Evertzberg* does not teach or suggest the features of claims 1 and 16.

Applicant respectfully asserts that *Ohyama* fails to cure the deficiencies of *Evertzberg*. *Ohyama* teaches "a bankbook printer 1 ... [that] comprises a body unit 2 and an inserter unit 3." *Ohyama* at col. 2:61-64 and Fig. 2. *Ohyama* is entirely silent as to any teaching or suggestion concerning "a drive unit provided inside the hole for moving the refraction unit in an up/down direction," as recited in independent claim 1 or "light transmission unit is movable in a vertical direction by a drive unit provided inside the hole," as recited in independent claim 16. Thus, *Ohyama* does not teach or suggest the features of claims 1 and 16. Indeed, the Office only

relied on *Ohyama* to disclose “a prism ... that ... directs the light from the light source ... to the surface of the top of the apparatus.” *Office Action* at p. 2, ¶ 3.

Accordingly, none of the cited references, singly or in combination, teaches or suggests “a drive unit provided inside the hole for moving the refraction unit in an up/down direction, as recited in independent claim 1 or “the light transmission unit is movable in a vertical direction by a drive unit provided inside the hole,” as recited in independent claim 16. For at least these reasons, Applicant respectfully requests that the Office withdraw the 35 U.S.C. § 103(a) rejection of independent claims 1 and 16. Claims 2-4 and 9 depend from independent claim 1 and claim 17 depends from independent claim 16. It stands to reason that the 35 U.S.C. § 103(a) rejection of those dependent claims should be withdrawn as well.

**Claims 6, 7, and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Evertzberg* in view of *Ohyama* and further in view of U.S. Patent Application Publication No. 2005/0002155 to Latino (hereinafter “*Latino*”) and U.S. Patent No. 5,399,109 to Sedig (hereinafter “*Sedig*”).** *Office Action* at p. 3. Applicant respectfully traverses this rejection and requests reconsideration.

*Latino* fails to cure the deficiencies of *Evertzberg* and *Ohyama*. *Latino* recites a “stationary under desk support structure 16 [that] includes a linear slide mechanism 22 ... a constant force torsional coil spring 24.” *Latino* at ¶ [0022]. *Latino* teaches that “the under-desk support mechanism 16 is positioned beneath an aperture 78.” *Latino* at ¶ [0021] and Fig. 9 (emphasis added). In other words, the linear slide mechanism 22 and the spring 24, which are a part of the support mechanism 16, are positioned beneath the aperture 78. Thus, *Latino* does not teach or suggest “a drive unit provided inside the hole for moving the refraction unit in an up/down direction,” as recited in independent claim 1 or “the light transmission unit is movable in a vertical direction by a drive unit provided inside the hole,” as recited in independent claim 16.

*Sedig* fails to cure the deficiencies of *Evertzberg* and *Ohyama*. *Sedig* teaches “a multi-bay electrical connector ... that has a frame ... which enables quick withdrawal of a single module from the frame.” *Sedig* at Abstract. There is absolutely no teaching or suggestion in *Sedig* of “a drive unit provided inside the hole for moving the refraction unit in an up/down

direction,” as recited in independent claim 1 or “the light transmission unit is movable in a vertical direction by a drive unit provided inside the hole,” as recited in independent claim 16. Indeed, the Office only relied on *Sedig* to disclose “pressing down on a trigger to release a spring latch.” *Office Action* at p. 4, ¶ 7.

Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claims 1 and 16, they also fail to teach or suggest each and every element of claims 6 and 7, which depend from claim 1 and claim 18, which depends from claim 16. Accordingly, Applicant respectfully requests the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 6, 7 and 18.

**Claims 5, 8, 10-15, 19 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Evertzberg* in view of *Ohyama* in view of *Latino* and U.S. Patent Application Publication No. 2002/0077525 to Costanzo (hereinafter “*Costanzo*”).** *Office Action* at p. 4. Applicant respectfully traverses this rejection and requests reconsideration.

Independent claim 10 is allowable over the cited references in that claim 10 recites a combination of elements including, for example, “a drive unit mounted inside the insertion hole, for moving the prism in an up/down direction.” For the same reasons as stated above, *Evertzberg*, *Ohyama* and *Latino* do not teach or suggest “a drive unit mounted inside the insertion hole,” as recited in claim 10.

*Costanzo* fails to cure the deficiencies of *Evertzberg*, *Ohyama* and *Latino*. *Costanzo* recites an infant supporting portion 7, which includes a platform tub 10, supported above a base 4. See *Costanzo* at ¶ [0034]. *Costanzo* teaches a “lifting apparatus 56 ... positioned in well 58 of tub 10.” *Costanzo* at ¶ [0041] and Fig.’s 1 - 2. As shown, the infant supporting portion does not include a hole and the lifting apparatus is positioned beneath the infant supporting portion 7. Thus, *Costanzo* does not teach or suggest “a drive unit mounted inside the insertion hole, for moving the prism in an up/down direction,” where the insertion hole is “formed vertically in a front side of the top plate in a passing through manner,” as recited in independent claim 10. Indeed, the Office only relied on *Costanzo* to disclose “using a switch and a step motor to raise and lower a object.” *Office Action* at p. 5.

Because none of the cited references, either individually or in combination, teaches or suggests each and every element of independent claim 10, they also fail to teach or suggest each and every element of claims 11-15, which depend from claim 10. Accordingly, Applicant respectfully requests the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 5, 8, 10-15, 19 and 20.

### **CONCLUSION**


The application is in condition for allowance. Early and favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: August 19, 2008

Respectfully submitted,

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